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Attorneys for Plaintiff

FILED IN THE
UNITED STATES DISTRICT COURT
DISTRICT OF HAWAII

OCT 17 2006
at 10 o'clock and 10 min. M
SUE BEITIA, CLERK

LODGED

OCT 12 2006
9:38 AM
CLERK, U. S. DISTRICT COURT
DISTRICT OF HAWAII

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF HAWAII

AVARD W. PEREIRA,	) CIV. NO. 04-00371 SPK/LEK
	) (Civil Rights)
Plaintiff,)
	) ORDER GRANTING MOTION
vs.	) TO WITHDRAW AS
	) COUNSEL
)
DR. SISAR PADERES and DOES 1-10,	) <u>Hearing</u>
	) Date: October 6, 2006
Defendants.	) Time: 9:30 a.m.
	) Judge: Leslie E. Kobayashi
)
	) Trial: May 22, 2007

ORDER GRANTING MOTION TO WITHDRAW AS COUNSEL

The motion to withdraw as counsel filed on behalf of both Jack Schweigert, Esq. and Rory Soares Toomey, Esq., came on for hearing before the Honorable Leslie E. Kobayashi in her courtroom on October 6, 2006.

Jack Schweigert, Esq. appeared on behalf of himself and Rory Soares Toomey, Esq., and Christine E. Savage, Esq. appeared on behalf of Defendants. Plaintiff Avarid Pereira was not present and efforts to reach him by phone were unsuccessful.

The Court, after having questioned Attorney Schweigert on the basis of the conflict, finds the requisite good does exist for granting the motion to withdraw as counsel. NOW THEREFORE,

IT IS HEREBY ORDERED that the motion to withdraw as counsel filed by Jack Schweigert, Esq. and Rory Soares Toomey, Esq. on September 22, 2006, be, and the same hereby is, GRANTED so that they are both no longer attorneys of record for the Plaintiff Avarid Pereira.

IT IS FURTHER ORDERED that Plaintiff Avarid Pereira appear personally or have a legal representative appear on his behalf for a Status Conference now set for December 7, 2006 at 9:30 a.m., the Honorable Leslie E. Kobayashi presiding, in her courtroom at the federal courthouse, 2nd floor. If Plaintiff does not have substitute counsel by this date and cannot physically appear himself, then he must get prior approval from the Court by

way of ex parte motion to avoid sanctions from being imposed from his failure to appear.

DATED: Honolulu, Hawaii; 10/16/06.

Edwin E. Nakayama
Judge of the above-entitled Court

Approved as to Form:

Christine E. Savage
Christine E. Savage, Esq.
Deputy Attorney General
Attorney for Defendants